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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DAVID FRANCIS, derivatively on behalf of
CV SCIENCES, INC. formerly known as,
CANNAVEST CORP.,

Plaintiff,

vs.

MICHAEL MONA, JR., MICHAEL MONA
III, JOSEPH D. DOWLING, BART P.
MACKAY, LARRY RASKIN, JAMES
MCNULTY, GARY SLIGAR, STEPHEN
M. SCHMITZ and EDWARD A. WILSON,

Defendants,

and

CV SCIENCES, INC. formerly known as,
CANNAVEST CORP.,

Nominal Defendant

CASE NO. 2:18-cv-02284-GMN-NJK

**STIPULATION AND [PROPOSED]
ORDER REGARDING SERVICE AND
THE DEADLINE FOR ALL
DEFENDANTS TO ANSWER OR
MOVE
[FIRST REQUEST]**

IT IS HEREBY STIPULATED AND AGREED, by the parties, through their undersigned counsel, subject to the approval of the Court, that all Defendants' and the Nominal Defendant's time to answer or move against the Complaint shall be extended, and all proceedings and deadlines in this shareholder derivative action are hereby stayed, through and including February 22, 2019. In addition, all Defendants and the Nominal Defendant stipulate that Plaintiff has made due and sufficient service on them. Plaintiff requested that Defendants waive service and agree to be served through counsel. Defendants agreed to do so and in conjunction with those discussions the parties

1 agreed to extend Defendants' deadline to respond until February 22, 2019. The reason for the
2 requested extension is as follows:

3 Two related putative class action cases are pending. One is pending in the United States
4 District Court for the Southern District of New York styled as *In re: CannaVest Corp., Securities*
5 *Litigation*, Case No. 14-cv-2900 (hereafter, the "New York Federal Securities Action"). The
6 second related case is a recently filed putative class action pending in the United States District
7 Court, District of Nevada entitled *Ina v. CV Sciences, Inc., et al.*, Case No. 2:18-cv-01602-JAD-
8 PAL (hereafter, the "Nevada Federal Securities Action").

9 The New York Federal Securities Action is currently in the discovery phase with a
10 discovery cutoff date of October 18, 2019. In the Nevada Federal Securities Action a Lead Plaintiff
11 was recently appointed and a Consolidated Complaint is due on or before January 4, 2019.

12 The parties agree that the pleadings and discovery in the two related putative class action
13 cases are relevant to this action in that developments in the related cases may help inform the
14 manner in which this action proceeds. Moreover, the parties intend to discuss sharing discovery
15 generated in the related cases in this action to increase efficiency and conserve party resources.
16 Additionally, given the number of individual defendants named in this action (nine) and the recent
17 Holiday, defense counsel needs additional time to confer with all defendants and consider
18 individual defenses that may be applicable. This Stipulation is intended to facilitate coordination
19 and to avoid, to the extent practicable, duplicative discovery.

20 The parties respectfully reserve all other rights and defenses.

21 This is the first requested extension for Defendants and Nominal Defendant to answer or
22 move against the Complaint.

23 Dated: This 2nd day of January, 2019

Dated: This 2nd day of January, 2019

24 **LEVERTY & ASSOCIATES LAW CHTD.**

MARQUIS & AURBACH

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2 **THE ROSEN LAW FIRM, P.A.**
3 Phillip Kim

4 **THE BROWN LAW FIRM, P.C.**
5 Timothy Brown

6 *Counsel for Plaintiff David Francis*

7 **IT IS SO ORDERED.**

PROCOPIO

S. Todd Neal

*Attorneys for Nominal Defendant CV Sciences,
Inc. and Defendants Michael Mona, Jr., Micheal
Mona III, Joseph D. Dowling, Bart P. Mackay,
Larry Raskin, James McNulty, Gary Sligar,
Stephen M. Schmitz, and Edward A. Wilson*

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9 _____
10 United States Magistrate Judge

11 DATED: January 3, 2019
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